

Response under 37 C.F.R. §1.114
Serial No. 10/761,379
Attorney Docket No. 032181

REMARKS

Claim 1 is pending in the above-identified application. Claim 1 is hereby amended to expedite prosecution and clarify the subject matter of the present invention. This amendment is supported, for example, in Fig. 5 and in the disclosure on page 9, lines 10-14. In view of this amendment, the Applicants remarks filed on October 2, 2006, and the following remarks, Applicants respectfully request that the Examiner allow claim 1.

Claim 1 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Mori* (JP 2002321739 A) in view of *Walsh* (USPN 6,776,300).

However, Applicants respectfully submit that the Examiner has failed to present a *prima facie* case of obviousness, because even if one were to combine the cited references, the resultant combination would not be the claimed invention. For example, *Walsh* does NOT teach or suggest that *protruding portions are formed in respective corner areas of the bottom fitting portion and extend toward the corresponding corner portions of the bottom of the large folding container. See claim 1.*

In rejecting this claim, the Examiner mischaracterized the leg strap elements 92, 94 as the protruding portions described in the claimed invention. However, as described in the cited reference, the leg strap elements 92, 94 are part of an optional forklift strap 88 that is used to prevent tipping of the container on a pair of lift forks when the container is raised from a seated or stacked position. *See Col. 7, lines 27-38.* The leg strap elements are NOT fitted into respective fitting concave portions formed in the folding container

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below and the leg strap elements 92, 94 do NOT extend toward the corner portions of the bottom of the large folding container. Accordingly, this structural claimed feature is missing from the cited references.

Thus, Applicants respectfully submit that the obviousness rejection of claim 1 be withdrawn because the Examiner has failed to present a *prima facie* case of obviousness.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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